
OPERATIONS SUMMARY FOR SPECIALIZED TRANSIT SERVICES



<u>SUBJECT</u>	<u>PAGE NO.</u>
ABOUT THE SERVICE	1
Level of Service	
Local Needs Vary	
Range of Service	
Productivity of System	
Fact Book	
Performance Review Guidelines	
SUGGESTED ORGANIZATION OF MUNICIPAL TRANSIT SERVICE	2
Intent	
Organization Strategy	
Committee of Council or Municipal Department	
The Advisory Committee	
Eligibility Subcommittee	
Municipal Staff	
VOLUNTEER INVOLVEMENT	3
Potential to Improve Level of Service	
Committee Members	
Acquisition of Items	
SELECTING THE OPERATOR	4
Review Existing Service	
Assess Possibilities	
Vehicle Requirements and Extent of Service	
Contracts	
Minister's Approval	
Sample Contract - Illustration A	

TABLE OF CONTENTS

<u>SUBJECT</u>	<u>PAGE NO.</u>
VEHICLE REQUIREMENTS	5
Number of Vehicles	
Type of Vehicle	
Legislation	
Ramps and Lifts	
Purchasing Vehicles	
Tenders	
Assistance Available	
Documents to Transit Office	
Ontario Regulation 167/81 - Illustration A	

ABOUT THE SERVICE

LEVEL OF SERVICE

1. In recognition of the diverse needs of disabled persons and the fact that these needs do not differ appreciably from able-bodied, the Province has not placed any restrictions on the type or extent of service which is funded under this policy. In general terms, municipalities with conventional transit services may use regular transit hours and days of service as a guide.

LOCAL NEEDS VARY

2. Transportation services for disabled persons vary from municipality to municipality, the demand and type of demand, and the most appropriate way of meeting this demand. Therefore it is important to form an Advisory Committee, especially in start-up situations, to determine the locally oriented needs as indicated in Section 3/2.

RANGE OF SERVICE

3. There are times of the day that the demand for service is great and other times when there is little demand for service. This 'peaking' characteristic is most prevalent in the larger municipalities. Typically, there is a rush period in the morning corresponding with work start times and rehabilitation centre openings as well as the afternoon return trip for work related trips and other activities. Evening and weekend service demands are low when compared to the two peak periods of the day. There is generally a variation in demand by day of week. Ideally, the amount of service provided would be only enough to meet the demand at any particular time.

PRODUCTIVITY OF SYSTEM

4. The productivity of a system can be measured by the number of passenger trips made per vehicle hour of service.

FACT BOOK

5. The Transit Office annually compiles a "Fact Book" as a useful resource for municipal officials and transit administrators in continuing to review and to develop the respective systems. The material contained in the book is derived from information supplied by the municipalities participating in the program. The Ministry requests this information from the municipalities as at December 31, each year. Special forms are provided for this purpose.

PERFORMANCE REVIEW GUIDELINES

6. A document has been produced to provide a framework for managers to regularly review the performance of their operations and to identify areas where improvements may be needed.

Inquiries regarding the use of the guidelines or requests for copies may be directed to the Transit Office.

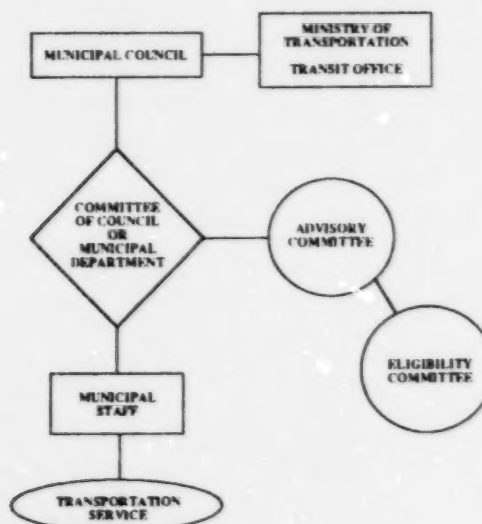
SUGGESTED ORGANIZATION OF MUNICIPAL TRANSIT SERVICE

INTENT

1. The intent of this section is to illustrate, in general terms, the type of management structure that has been found to be efficient and workable. Variations may be appropriate depending on the stage of development and the specific service offered within the municipality.

ORGANIZATION STRATEGY

2. Financial assistance for transportation for physically disabled persons must be requested from the Province **directly by a municipality**. As such, a mechanism of reporting to council is essential for operating services under this funding policy. A suggested framework of the various links between council and the actual service is shown below:



COMMITTEE OF COUNCIL OR MUNICIPAL DEPARTMENT

3. Link with Council

The link with municipal council may be through a standing committee of council, or through one of the municipal departments which report directly to council. The department chosen could be one of either transportation, public utilities, planning, transit commission or department, or treasury.

4. Function

The function of this committee would be to:

- act on recommendations of the Advisory Committee
- develop and seek approval for budget allocations and policy from the municipal council.

SUGGESTED ORGANIZATION OF MUNICIPAL TRANSIT SERVICE

COMMITTEE OF COUNCIL OR MUNICIPAL DEPARTMENT (cont'd)

5. Member on Advisory Committee

A member of the standing committee of council or municipal department would be selected to chair the Advisory Committee.

THE ADVISORY COMMITTEE

6. Function

The function of this committee would be to:

- review existing services within the community to determine what operators are available and the potential of any one or combination of operators for operating the service.
- recommend what it feels is the appropriate method of operation, to the committee of council or municipal department for their consideration.
- to receive applications and rule on the eligibility of prospective users or delegate this function to an eligibility subcommittee.

7. Committee Members

The advisory committee make-up should be as diverse as possible to gain an appreciation of not only the operations of a transportation system for disabled persons, but also the nature of the transportation needs of disabled persons, and to gain the cooperation needed between various services to enhance the overall operation of the system. The committee, therefore, may be made up of representatives from transportation departments such as transit or roads departments, the municipal department of social services, rehabilitation institutions, hospitals, support agencies, e.g. March of Dimes, Easter Seals, Red Cross, as well as representatives from the disabled community.

8. Policy Issues

Ongoing issues that this committee would deal with and report on would be policy issues such as:

- the extent of service hours and days of operation
- the addition of extra vehicles into service

SUGGESTED ORGANIZATION OF MUNICIPAL TRANSIT SERVICE

THE ADVISORY COMMITTEE (cont'd)

8. (cont'd)

- the fare policy and what relation it has to conventional transit fares.
- smoking policy on vehicles. Many of the individuals using this type of service have respiratory problems, or may have oxygen equipment. It is common practice not to allow smoking on vehicles.
- whether or not disabled persons can be accompanied by an attendant/companion, by how many, and at what fare. Usually one person may accompany a disabled passenger at the same fare as the disabled passenger.
- lead time for service booking. This may be restricted to the day before or you may attempt to take bookings for same day service.
- the maximum time a person would be expected to be on the vehicle, possibly in terms of a factor of the time it would take for the direct trip; how much time in advance or after the scheduled pickup a person would be picked up.
- the length of time a vehicle would wait for a passenger pick up.
- whether the service was strictly curb-to-curb, or if it were to extend to door-to-door. Different levels of insurance would be required for each type of service.

ELIGIBILITY COMMITTEE

9. Function

The function of this committee would be to:

- review applications to determine the eligibility of applicants for the service.
- arrange for home visits by community health officials to determine the need for service on questionable applications or applications containing insufficient data to make a ruling.
- deal with both permanent registrations as well as temporary registrations.

SUGGESTED ORGANIZATION OF MUNICIPAL TRANSIT SERVICE

ELIGIBILITY COMMITTEE (cont'd)

10. Committee Members

The Eligibility Committee should be made up of medical personnel dealing in rehabilitation, or from rehabilitation clinics, representation from agencies such as the March of Dimes, Easter Seals, Red Cross, VON, and representative of the disabled users of the system. This committee would be chaired by a member of the Advisory Committee who would carry policy decisions from the Advisory Committee to the Eligibility Committee and bring forward cases for review from the Eligibility Committee to the Advisory Committee.

MUNICIPAL STAFF

11. Function

The function of the municipal staff would be to:

- research and analyze policy options
- arrange for contracts and the provision of service
- prepare reports on the system operation for the Advisory Committee
- implement the municipal department or committee of council directives
- ensure standards of service are maintained
- provide the monitoring required by the Province
- prepare the subsidy claims for processing by municipal council
- deal with complaints

12. Staff Members

The municipal staff would be from the municipal department most closely aligned with the committee of council or the municipal department reporting directly to council.

VOLUNTEER INVOLVEMENT

POTENTIAL TO IMPROVE LEVEL OF SERVICE

1. It has been the experience that the total number of people required to deliver the service, has been partially comprised of volunteers. Volunteers offering services for transportation for disabled persons, for free or in return for their out-of-pocket expenses, offer a great potential for municipalities to reduce costs and in turn provide a potentially greater level of service to the disabled than otherwise possible through general municipal taxation. In particular, volunteers can fill the gap in peak times and evening and weekend services.

COMMITTEE MEMBERS

2. The areas in which non-regular staff can be used are unlimited. This type of involvement is of course essential in the Advisory Committee and Eligibility Committee as the expertise of agencies, groups, and passengers, is invaluable in determining the needs of disabled persons and in formulating the operating policies that best suit the needs of the community. It should also be noted that any form of volunteer involvement can be beneficial to a community.

ACQUISITION OF ITEMS

3. In addition to the actual involvement in directly providing a portion of the service operation, community groups, especially service clubs, are frequently very active in the acquisition of capital items such as vehicles, lifts, etc.

SELECTING THE OPERATOR

REVIEW EXISTING SERVICE

1. Prior to selecting the appropriate operator(s), the Advisory Committee should conduct a review of existing services within the community. One or more of the following is usually found in most communities:
 - Volunteer organizations offering services in private automobiles
 - Volunteers or agencies with specialized vehicles offering services to client groups
 - Private businesses offering specialized services to disabled persons on a group contract basis or individual trip requests such as specialized school bus operators
 - Non-profit organizations
 - Taxi companies

ASSESS POSSIBILITIES

2. Working with these various operators within the community, the Advisory Committee will be able to assess which groups would be interested and capable of providing part of or all the service deemed to be necessary in the community.
3. The possibility also exists that a neighbouring municipality uses a service that might be expanded to service your community.

VEHICLE REQUIREMENTS AND EXTENT OF SERVICE

4. Refer to Sub-Sections 1 and 5 of this Section in order to evaluate the best provider or providers of service, bearing in mind the type of service desired.

CONTRACTS

5. Under the Public Transportation and Highway Improvement Act, a municipality receiving subsidy for public transportation services which they are not running themselves, must have a written contract or agreement between the municipality and operator. The contract or agreement must indicate:
 - the municipality desires to provide public transportation services
 - the operator agrees to provide such services
 - the municipality and the operator agree to terms and conditions for operating the system
 - details of the terms and conditions

SELECTING THE OPERATOR

CONTRACTS (cont'd)

6. Refer to Illustration A for a sample contract which may be used as a guide. Write or telephone the Transit Office if you need help or clarification.

The service parameters such as passenger pick up time deviation and passenger time spent on the vehicle will have to be determined by each municipality.

MINISTER'S APPROVAL

7. Contracts between the municipality and contractor to provide public transportation must be approved by the Minister in order for the subsidy to be paid.

SAMPLE FORM OF CONTRACT

THIS AGREEMENT made in duplicate the _____ day of
_____ 19 ____.

BETWEEN

THE CORPORATION OF THE MUNICIPALITY OF

hereinafter called the 'Municipality'

OF THE FIRST PART

- and -

hereinafter called the 'Operator'

OF THE SECOND PART

The Municipality desires to provide a public transportation system for disabled persons within the Municipality.

The Operator has agreed to provide such a transportation system for the Municipality.

The Municipality and the Operator have agreed to the terms and conditions for the operation of the system.

THEREFORE the parties in consideration of the premises hereby agree one with the other as follows:

1. Subject to the terms of this contract, the Municipality grants to the Operator the right to maintain and operate transportation services for disabled

SELECTING THE OPERATOR

1. (cont'd)

persons except as hereinafter provided, in the Municipality for the conveyance of disabled persons in the areas defined by the Municipal Council for a term of three (3) years, commencing on the _____ day of _____, 19 ____.

2. **THE OPERATOR SHALL:**

2.A. Provide and maintain at its expense a modern and efficient transportation service in accordance with the specifications outlined in Schedule 'A' as well as the days and hours of operation shown in Schedule 'B'.

2.B. Provide a suitable office required for the service to contain the telephone answering*, booking service and dispatch facilities.

- (a) To provide general information to callers regarding the transportation services provided for disabled persons.
- (b) To accept as many reservations as possible consistent with passenger capacity and availability of the vehicles.
- (c) To notify callers of alternate service time where unable to supply requested service time.
- (d) To keep a record of any complaints, unfulfilled requests for service, cancellations and no-shows.

* In smaller municipalities a telephone recording system may be acceptable instead of full time answering service.

SELECTING THE OPERATOR

2.B. (cont.d)

(e) To inform callers awaiting service of delays affecting them.

(f) To provide radio dispatch facilities for office and vehicles.

Non-subscription users of the service will be encouraged to reserve their trip at least one day in advance. However, the Contractor will accommodate shorter notice up until one-half hour of pick-up.

Adequate service reservation lines, despatching and booking facilities will operate from one-half hour before start of service to one-half hour after the end of the service day.

2.C. Operate the service (specify either days of operation desired or days service is not to be offered).

Provide vehicles as described in Schedule 'C'.

2.D. Adhere to the service requirements as contained in Schedules 'A' and 'B'.

2.E. Operate the vehicles in accordance with the law and The Highway Traffic Act, R.S.O. 1981 and regulations thereunder and the by-laws of the Municipality.

2.F. License, operate and maintain sufficient vehicles to satisfy the service specifications of Schedules 'A' and 'B' and to satisfy the requirements for standby vehicles outlined in Section 2(T). The number, type and condition of the required vehicles are described in Schedule 'C'. The Operator shall be responsible for all maintenance functions associated with the vehicles and any other equipment used in the transit service. The Operator shall maintain at least the spare parts inventory as

SELECTING THE OPERATOR

2.F. (cont'd)

indicated in Schedule 'D' and have available any additional parts or equipment required to readily service, maintain or repair the vehicles.

2.G. Maintain all vehicles in safe working order and provide a Certificate of Mechanical Fitness for each vehicle used in the service, prior to commencing the service and annually thereafter.

2.H. Keep all vehicles clean and sanitary, inside and out, as outlined in Schedule 'E' and maintain adequate heat and light inside the vehicle during operation. The vehicle interior shall be warm at the start of service. The operator shall repair all scratches, dents, etc. promptly and to the satisfaction of the Municipality's representatives.

2.I. Ensure that each passenger deposits in the farebox the fare as set forth in Schedule 'F'. The vehicle operator will not be required to make change, but will issue a Refund Slip to passengers depositing a fare greater than that required by the fare schedule. A copy of the Refund Slip must be dropped into the farebox at the same time. Refund and Transfer slips will be provided by the Operator with the design of both slips subject to approval by the Municipality.

NOTE: In some cases the operator may keep the revenue and treat it as an advance payment against the total operating costs.

2.J Keep accounting and operating records as required by the Municipality and provide monthly reports to the Municipality by the 10th of the following month indicating the vehicle hours operated during the report month, passengers carried, unmet demand, and cancellations. In addition, the Operator shall keep such other records as may reasonably be required by the Municipality from time-to-time and assist the

SELECTING THE OPERATOR

2.J. (cont'd)

Municipality in providing the reporting requirements of transit associations, Provincial or Federal Government agencies, or similar bodies. The books of the operator must be open to Provincial audit.

2.K. Indemnify and save harmless the Municipality from loss, damage, expense and all suits, claims, proceedings, causes of action and demands arising by reason of or connected in any way with the operation or maintenance of the system.

2.L. As further security for such indemnity, carry public liability and property damage insurance with an insurer satisfactory to the Municipality, in an amount not less than five million (\$5,000,000.00) per accident. Accident Benefit coverage is also mandatory. The insurance shall name the Operator and the Municipality as named insured and shall be only cancellable on thirty (30) days written notice to the Municipality by the insurer and the Operator shall ensure that the Municipality is provided with a certified copy of a new policy of insurance forthwith. Proof of new or renewed insurance shall be filed with the Municipality thirty (30) days before termination of the existing insurance. Collision and comprehensive coverage shall be at the discretion of the Operator who shall negotiate any settlement of a claim under the policy.

The Operator shall be required to produce a letter of good standing from the Worker's Compensation Board at the start of the contract and from time-to-time as may be required by the Municipality.

SELECTING THE OPERATOR

- 2.M. Provide drivers in good mental and physical health and possessing a valid Driver's License as required by provincial legislation and regulations; usually class 'F'. Drivers shall be alert and well rested at all times while operating the vehicles.
- 2.N. Provide sufficient drivers trained in the operation of the vehicles, specialized equipment and fare system to operate the system safely and efficiently. Each driver shall have an accurate time piece visible to him while operating the vehicle to assist in schedule adherence. Drivers shall be polite and well groomed at all times and shall not smoke inside the vehicles.
- 2.O. Provide a lost and found service for the system and turn over unclaimed articles to the Municipality at the end of each month.
- 2.P. Discipline any vehicle operator or other employee found to be knowingly in breach of the terms and conditions of this contract or in breach of the law or the subject of consistent passenger complaints. The nature of the discipline shall be governed by the severity of the problem.
- 2.Q. Distribute at its place of business to the general public and distribute or display on the vehicles used in service such printed information or advertising as the Municipality may see fit to provide. Only information or advertising approved by the Municipality may be distributed or displayed on the vehicles.
- 2.R. Provide from time-to-time, as the Municipality may request, additional special service if such service does not interfere with or jeopardize the regular service. The cost of such special service will be negotiated at the time of each request provided such service does not fall within

SELECTING THE OPERATOR

2.R. (cont'd)

the terms and conditions of Section 4(B) and the costs shall be based on the contract rates plus additional costs incurred by the Operator in providing the service, subject to audit by the Municipality.

2.S. Provide to the Municipality at the time of signing of the Contract an irrevocable Letter of Credit in the amount of _____ thousand dollars (\$ _____) and renew the Letter of Credit annually. The new Letter of Credit shall be submitted to the Municipality at least five (5) banking days prior to the expiration of the existing Letter of Credit. Failure to do so will constitute default in the performance of the obligations of the Operator pursuant to which the Municipality may draw on the existing Letter of Credit. In the last year of the Contract the term of the Letter of Credit must extend one (1) month beyond the termination date of the Contract.

2.T. In the event that one or more of the vehicle fleet is out of service, the Operator shall have available and immediately supply sufficient standby vehicles of a type and condition approved by the Municipality to provide and maintain regular service. The number, type and condition of standby vehicles is described in Schedule 'C'. The Operator shall ensure that the vehicles regularly used in service do not have inspections, servicing or routine maintenance during the normal hours of system operation. Further, vehicles must be repaired promptly and returned to service as soon as possible.

2.U. Report all accidents or situations involving vehicle collisions, passenger injuries, etc. promptly to police, insurance agent and the Municipality. A written report shall be made by the driver using the form shown in Schedule 'G', or a form otherwise approved by the Municipality. Blank

SELECTING THE OPERATOR

2.U. (cont'd)

forms shall be carried on the vehicles at all times and drivers trained in their use.

2.V. Name a local representative(s) responsible for the system, accessible to the Municipality during the normal operating hours of the system and having the authority to make decisions relating to the terms and conditions of the contract.

2.W. Pay all expenses associated or connected with operating and maintaining the system except as specifically excluded by the contract. These expenses include, but are not limited to: supply of vehicles and licensing fees; keeping, maintaining and operating the vehicle; provision of dispatching facilities, salaries, wages and fringe benefits of all staff; insurance; taxes; rents; obligations pursuant to Worker's Compensation Act; etc.

3. THE MUNICIPALITY SHALL:

3.A. Pay the Operator at the rate set forth in Schedule I within fifteen (15) days of receiving from the Operator a copy of the preceding month's operating records setting out the hours operated, passenger trips, cancellations and unmet trip requests, certified by an Officer of the Operator.

3.B. Establish the eligibility of users for the system and provide the contractor with a list of eligible users of the service which will be updated as new applicants are registered.

3.C. Establish the days, hours and operation of vehicles required as set forth in Schedules 'A' and 'B' or as modified from time-to-time. Advice from the Operator will be sought concerning all changes in service.

SELECTING THE OPERATOR

3.D. Establish the type of fare system and rates of fares to be deposited directly into the farebox. The fare rates are set forth in Schedule 'F'.

3.E. Forthwith upon receipt of each day's fare revenues to the designated Municipal Official, count such fares and keep records thereof.

(If the operator is to retain the fares and treat them as an advance against total operating costs, this clause will not apply).

3.F. Provide for such advertising and publicity as the Municipality may see fit at the Municipality's expense.

3.G. Be responsible for monitoring the transportation service and analyzing the data supplied by the Operator or obtained through surveys.

3.H. Appoint, on or before the implementation date of the system, a Coordinator who will be the Municipality's representative in the normal daily operation of the service and be responsible for maintaining records kept by the Municipality.

3.I. The Municipality may have an authorized representative inspect the dispatch facilities, vehicles, the operation of the same, the maintenance facilities and the maintenance procedures as it may require from time-to-time.

4. Since service to disabled persons is of paramount importance to both the Municipality and the Operator the parties agree that:

4.A. They shall use their best endeavours to provide a good efficient service for the eligible users within the Municipality.

SELECTING THE OPERATOR

- 4.B. The Municipality may require the Operator to provide service for extended hours of operation or increase the vehicle fleet size.

NOTE: A separate hourly rate may apply for vehicle hours in excess of the basic contract or for vehicles in addition to the base vehicles covered in the contract.

- 4.C. The Operator shall deliver, each day, before noon local time to a designated Municipal representative, the fares from the previous day. The Municipality's representative(s) shall count and record the fare revenues and keep records thereof.

NOTE: If the fares are retained by the operator, this clause will not apply.

- 4.D. In the event of any dispute between the Operator and the Municipality during the currency of this agreement, either party hereto shall give to the other notice of such dispute, thereupon, the following arbitration provisions shall apply:

- a) The Operator and the Municipality shall jointly choose a single arbitrator acceptable to both, to hear and decide the matters in dispute. The decision of the arbitrator shall be binding on both parties.

(Alternatively, the Municipality may specify the use of the County Court Judge as a single arbitrator for any dispute).

- b) In the event that the parties should be unable to agree on the choice of a single arbitrator, each party shall appoint an arbitrator and they shall jointly select a third and the decision of any two shall be final and binding upon the parties.

SELECTING THE OPERATOR

4.D. (cont'd)

- c) In any event, the selection of the arbitrators shall take place within seven (7) days of the giving of notice of dispute as herein before provided. If selection has not occurred in (7) days, then the arbitrator selected by one party shall be the sole arbitrator.
- d) The cost of the arbitration shall be paid jointly by the Operator and the Municipality and the arbitrator(s) shall determine what portion each party shall pay.
- e) The ruling of the single arbitrator or a majority of the three arbitrators shall be final and binding upon the parties and complied with by the parties forthwith.
- f) During the period of any arbitration proceedings there shall be no interruption of the service.

4.E. The Municipality has the right, notwithstanding the termination date of this contract, after the first year of this contract, to cancel this agreement for any reason by giving the Operator six (6) months notice of its intention to cancel. The Municipality shall not be liable for costs or damages of any kind caused to the Operator by such cancellation.

4.F. At any time after the first year of the contract, the Municipality may decide to purchase vehicles for use in providing the service. The Operator after receiving one month's written notice from the Municipality agrees to maintain these municipally-owned vehicles and use them in providing the service. The hourly rates for municipally-owned vehicles will be the existing contract rates (Schedule H); any increase or reduction in these rates to be negotiated after verification by audit of actual maintenance and operating costs of the Operator.

SELECTING THE OPERATOR

- 4.G. The parties agree that the Municipality shall receive all revenues collected by the system from all sources including passenger revenue, advertising, contract services, etc. (The operator can actually retain the fares collected, record them and deduct the revenue from the municipality's costs. However, the municipality must be supplied with the gross as well as net costs.)
- 4.H. As the cost per vehicle hour is the basis for payment to the Operator, the hours accumulated in one day may be calculated from the vehicle schedules, or from the base vehicle requirements and hours of operation as specified in the contract. Changes in vehicle hours resulting from any major service changes shall also be calculated from the vehicle schedule.
- 4.I. The Operator shall notify the Municipality promptly of extraordinary delays caused by any abnormal or emergency factors.
- 4.J. The Operator agrees that the same vehicle operators will be regularly assigned to the system to ensure familiarity, system continuity and allow passenger recognition. Should it be necessary to replace one or more drivers, the Operator shall ensure that the new driver(s) has adequate training and experience with the vehicles and specialized equipment and is fully knowledgeable concerning schedules and fare structures.
- 4.K. Each vehicle shall display a distinctive sign or marker as approved by the Municipality indicating that the service is being operated for the Municipality by the Operator.
- 4.L. The vehicles used regularly for the service shall have an exterior paint scheme and logo as approved by the Municipality.

SELECTING THE OPERATOR

- 4.M. Each vehicle used in the service shall be radio equipped and capable of radio dispatch within the service area.

NOTE: If deemed necessary by Municipality.

- 4.N. At the termination date of this contract, the contract will continue on a monthly basis until a new contract is signed or until cancelled on thirty (30) days notice by either party.
- 4.O. The Operator is excused from its obligations under this contract during any period in which the Operator is prevented from providing service by fire, strike, riot or Act of God.
- 4.P. The Municipality may cancel the Contract and execute the Letter of Credit on seven (7) days written notice if the Operator fails to operate the service on six (6) consecutive days excluding Sundays and holidays for any reason except due to fire, strike, riot or Act of God.
- 4.Q. The Municipality will provide and staff a local telephone information line for the receipt of information requests and complaints. A listing in the local directory under the name of _____ will be provided. The Operator will maintain a local telephone line which is staffed during all hours of system operation to accept trip requests, confirm bookings, receive cancellations and provide information to the public.
5. This contract is subject to the provisions of The Municipal Act R.S.O. 1980 c.302 as amended, and the provisions of The Public Transportation and Highway Improvement Act, R.S.O. 1980 c.421 as amended in 1981.
6. Should the Operator fail to comply with any directives issued by the Municipality under the terms of this contract, or with any directives issued

SELECTING THE OPERATOR

6. (cont'd)

through arbitration under the conditions of Section 4(D), the Municipality shall have the right to terminate the contract on the grounds of breach of the contract by the Operator and draw upon the Letter of Credit in its possession. Funds so received shall be considered as liquidated damages in the hands of the Municipality.

7. Any notice required to be given or served on any party under the provisions of this contract shall be in writing, and delivered personally or by prepaid registered post, addressed to the Operator or the Clerk of the Municipality respectively. Service of notification shall be effective from the date of personal delivery or on the next following business day after posting of the registered letter.

8. The personal integrity of the Operator being a significant factor in this contract, the Operator shall not sublet, sub-contract or assign any of the work on this agreement or change its effective, corporate control without the written consent of the Municipality previously obtained. This agreement shall enure to the benefit of and be binding upon the parties, their respective successors and assigns.

IN WITNESS WHEREOF the parties have affixed their corporate seals duly attested by their authorized officers in that behalf.

SCHEDULE A

The minimum level of service is as follows:

- a) No individual passenger will be in a vehicle more than _____ hours/minutes on a one-way trip.

SELECTING THE OPERATOR

SCHEDULE A (cont'd)

- b) Scheduling will be arranged in such a way that no individual will arrive at their destination more than _____ hours/minutes before the rider's desired arrival time.
- c) The total time from pickup to desired arrival shall not exceed _____ hours/minutes. Similarly, the total time from desired pickup to drop at home shall not exceed _____ hours/minutes.
- d) No vehicle shall be required to wait longer than five minutes to pickup a passenger after the scheduled pickup time.

SCHEDULE B

Days, Hours and Frequency of Operation.

SCHEDULE C

Vehicle Fleet description, including number of vehicles for use in the transportation service for the physically disabled, Municipal paint scheme, number of standbys: age, seating capacity, specialized equipment and condition of both types of Operator-owned vehicles. Age of vehicles as of the start of the contract. Information supplied by Operator in Form of Tender should also be included here.

SCHEDULE D

Spare Parts Inventory (as provided in Form of Tender).

SCHEDULE E

Interior and exterior cleaning schedules.

SELECTING THE OPERATOR

SCHEDULE F

Fare Structure, Type of Fare System.

SCHEDULE G

Accident Report Form.

SCHEDULE H

Payment Rates for Operator (from Form of Tender).

VEHICLE REQUIREMENTS

NUMBER OF VEHICLES

1. Vehicle requirements generally vary with population grouping. Where the opportunity exists to augment the base service with other community resources such as agency vehicles, taxis or community groups, vehicle requirements can be cut drastically, which will result in cost savings.
2. Twenty-five percent less capacity than that indicated for peak is recommended for use as a base and only increased as the demand for service exceeds the capability of the operation.
3. Evening and weekend requirements will likely only be 35% of the daytime requirements for service.

TYPE OF VEHICLE

4. The type of vehicle used in transportation of disabled persons ranges from passenger cars (both volunteers and taxi) to converted vans and small buses. The most popular type of vehicle has been the converted van type which has been retrofitted with raised roof and lift or ramp mechanisms for access for wheelchairs. The small school bus type vehicle is also very popular and is used by many municipalities.

NOTE: *Vehicles must conform to standards in order to be eligible for subsidy.*

LEGISLATION

5. Ontario Regulation 167/81 under the Highway Traffic Act describes 'Vehicles for the Transportation of Physically Disabled Passengers'. A copy is reproduced as Illustration A.
6. Regulation 167/81 incorporates the Canadian Standards Association Standard D409-M84. This standard must be complied with on all vehicles of this type. Copies of the publication detailing this Canadian Standard can be purchased from the following address:

Canadian Standards Association
Sales Department
178 Rexdale Blvd.
Rexdale, Ontario
M9W 1R3
Tel: (416) 747-4044

VEHICLE REQUIREMENTS

RAMPS AND LIFTS

7. Both ramps and lifts are used in transportation services for disabled persons. Features to look for are a backup system so a lift can be retracted manually if electronic or hydraulic systems fail so as to complete trips and return for maintenance.

PURCHASING VEHICLES

8. A municipality must follow the standard purchasing practice of preparing specifications and calling tenders.

TENDERS

9. The specifications and tender documents should be prepared for purchase of ALL capital assets by the municipality and approved by the Ministry before calling tenders. Subsidy will be based on the lowest tender that meets specifications, including delivery.

ASSISTANCE AVAILABLE

10. Assistance from the Transit Office is available on request for the preparation of specifications and tender documents, as well as the evaluation of subsequent bids.

The Ministry has developed vehicle specifications and documented guidelines for various types of vehicles. These are available from the Transit Office.

DOCUMENTS TO TRANSIT OFFICE

12. A copy of all documents, including the bids from suppliers, must be sent to the Transit Office. Refer to Section 1/1 for address and phone number.

ONTARIO REGULATION 167/81

under the Highway Traffic Act

VEHICLES FOR THE TRANSPORTATION OF PHYSICALLY DISABLED PASSENGERS

1. In this Regulation,

- (a) "physically disabled person" means a person unable, because of a mobility impairment, to use a regular transit facility;
- (b) "physically-disabled-passenger vehicle" means a van or bus operated on a highway,
 - (i) for the purpose of transporting, for compensation, physically disabled persons; or
 - (ii) by, for or on behalf of any person, club, agency or organization that holds itself out as providing a transportation service to physically disabled persons, for compensation or otherwise.

O. Reg. 167/81, s. 1.

2.—(1) Every physically-disabled-passenger vehicle shall have at least one door for passenger access and an emergency exit door, located on different walls of the vehicle, and the emergency exit door shall be operable from both inside and outside the vehicle.

(2) In the case of a physically-disabled-passenger vehicle used for the transportation of persons in wheelchairs, the doorway for each of the doors referred to in subsection (1) shall have a clear horizontal opening of not less than 820 millimetres. O. Reg. 167/81, s. 2.

3.—(1) Every physically-disabled-passenger vehicle shall,

- (a) be equipped with an interior mirror designed to provide the driver with a view of the passengers;
- (b) be equipped with lights arranged to illuminate all of the interior of the vehicle that shall be constantly lit during the loading or unloading of passengers;
- (c) be equipped with a light above or beside each passenger access door to illuminate the loading equipment or step nosings, as the case may be, and such lights shall be constantly lit during the loading or unloading of passengers;
- (d) be equipped with a means of securing in the open position, each passenger access door or emergency exit door that could be subject to

unintentional closing during the loading or unloading of passengers.

- (e) have an interior that is free of any sharp projections that may constitute a hazard to passengers;
- (f) have permanently bonded to the floor, in the aisle and on the steps, floor covering that is fire-retardant, skid-resistant and wear-resistant rubber or equivalent material;
- (g) have yellow or white step nosings;
- (h) conform with Canada Motor Vehicle Safety Standard 302 regarding flammability;
- (i) be equipped with at least one dry-chemical-type fire extinguisher.

(i) bearing the label of a recognized testing agency.

(iii) showing a rating of not less than 2-A, 10-B-C, and

(iii) equipped with a pressure gauge indicating that the fire extinguisher is adequately charged.

contained in the extinguisher manufacturer's bracket.

(j) be equipped with a unitized first aid kit in a sturdy, dustproof removable container containing,

(i) packets containing hand cleansers and gauze cleansing pads,

(ii) adhesive dressings, individually wrapped,

(iii) compress dressings,

(iv) eye dressing kits,

(v) gauze dressings,

(vi) gauze bandages,

(vii) adhesive tape,

(viii) triangular bandages,

(ix) rolled metal splint,

(x) one pair of scissors,

VEHICLE REQUIREMENTS

O. Reg. 167/81

HIGHWAY TRAFFIC

(xii) one pair of silver tweezers, and

(xiii) safety pins, and

(b) be equipped with an axe or clawbar

(2) The fire extinguisher, first aid kit and axe or clawbar required by subsection (1) shall be mounted or secured in a location readily accessible to the driver and, if not in plain view, the location thereof shall be plainly marked. O. Reg. 167/81, s. 3; O. Reg. 788/84, s. 1.

4.—(1) Every physically-disabled-passenger vehicle used for the transportation of persons in wheelchairs shall display the international symbol of accessibility in a clearly visible position on the rear of the vehicle and on the front of the vehicle in a position other than on the windshield.

(2) The symbol of accessibility required by subsection (1) shall be a rectangle.

(a) with a height of not less than fifteen centimetres and width of not less than fifteen centimetres, and

(b) consisting of a symbol in white on a blue background as illustrated in the following figure:



O. Reg. 167/81, s. 4

5.—(1) Every loading ramp fixed on a physically-disabled-passenger vehicle shall.

(a) have a skid resistant surface.

(b) have raised edges of sufficient height to prevent a wheelchair from rolling off the edge of the ramp during the loading or unloading of passengers, and

(c) be secured by means other than a support or lug in the door while the vehicle is operated on a highway.

(2) Every power lift used on a physically-disabled-passenger vehicle shall.

(a) have a skid resistant platform surface.

(b) have raised edges on two sides and a retractable lip on the side intended for loading, of sufficient height to prevent a wheelchair from rolling off the platform during vertical operation of the lift.

(c) be secured by means other than a support or lug in the door while the vehicle is operated on a highway, and

(d) be capable of raising and lowering a minimum weight of 275 kilograms. O. Reg. 167/81, s. 5

6.—(1) Every physically-disabled-passenger vehicle used for the transportation of persons in wheelchairs shall be equipped with wheelchair securement devices that limit the forward, backward, rotational, lateral and vertical motion of every wheelchair in the vehicle at the points of contact of the wheelchair with the vehicle while the vehicle is in normal operation.

(2) For the purpose of subsection (1), normal operation includes full throttle acceleration and maximum braking and cornering.

(3) Every wheelchair securement device in a physically-disabled-passenger vehicle shall be.

(a) securely anchored to the vehicle, and

(b) capable of withstanding a load in any direction of not less than 11120 newtons for a period of ten seconds.

(4) Where more than one wheelchair securement device is used to secure a wheelchair in a physically-disabled-passenger vehicle, clause (3) (b) applies to the combination of devices used and not to each single device. O. Reg. 167/81, s. 6

7.—(1) Every physically-disabled-passenger vehicle shall be equipped with a pelvic-type occupant restraint assembly, securely anchored to the vehicle, for each seat in the vehicle used for the carriage of physically disabled persons.

(2) Every designated wheelchair position in a physically-disabled-passenger vehicle shall, in addition to the devices required by section 6, be equipped with an occupant restraint assembly.

(a) securely anchored to the vehicle, or

(b) capable of securing a wheelchair occupant to his wheelchair by encircling both the occupant and wheelchair.

VEHICLE REQUIREMENTS

HIGHWAY TRAFFIC

O. Reg. 167/81

(3) Every occupant restraint assembly in a physically-disabled-passenger vehicle shall be capable of withstanding a load in any direction of not less than 11120 newtons for a period of ten seconds. O. Reg. 167/81, s. 7.

7a.—(1) Physically-disabled-passenger vehicles with bodies or chassis manufactured on or after the 1st day of January, 1986 are prescribed as a class of vehicle for the purpose of subsection 86 (3) of the Act. O. Reg. 788/84, s. 2, *part*; O. Reg. 155/85, s. 1.

(2) The standards prescribed for a class of vehicle referred to in subsection (1) are those set out in the Canadian Standards Association Standard D409-M84.

(3) Equipment conforming with the Canadian Standards Association Standard D409-M84 is prescribed and required for use in all vehicles of the class referred to in subsection (1). O. Reg. 788/84, s. 2, *part*.

N. Section 2, clause 3(1)(b) and clause 5(2)(d) do not apply to vehicles.

(a) that were used for the transportation of physically disabled persons prior to the date this Regulation comes into force, and

(b) for which a letter of exemption has been issued by the Ministry upon the application of the operator of the vehicle. O. Reg. 167/81, s. 8.